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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

10/735,495

Filing Date

12/12/2003

First Named Inventor

Joshua D. Rabinowitz

Art Unit

Not yet known

Examiner Name

To be assigned

Attorney Docket Number

00037.08CON

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
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Remarks		
Info. Disc. Statement (2 pp.) Form 1449 (3 copies, 8 pages each) Copy of <u>References</u> 18/ Return Postcard		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
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Date	SEP. 24 2004
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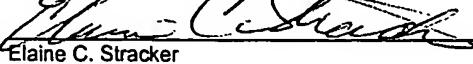
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Elaine C. Stracker



PATENT
Attorney's Docket No.: 00037.08CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.
Serial No.: 10/735,495
Filed: 12/12/2003
Title DELIVERY OF ALPRAZOLAM, ESTAZOLAM, MIDAZOLAM OR
TRIAZOLAM THROUGH AN INHALATION ROUTE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ §1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines than an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

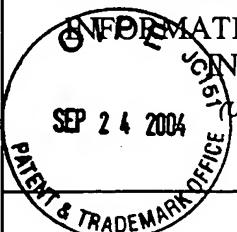
Date: SEP. 24 2004



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Form PTO-1449		Docket Number: 00037.08CON	Application Number: 10/735,495
INFORMATION DISCLOSURE CITATION ON AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/03	Group Art Unit: Not Yet Known



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	10/21/1980	4,229,447	Porter			
	4.	04/02/1985	4,508,726	Coleman			
	5.	05/13/1986	4,588,721	Mahan			
	6.	07/28/1987	4,683,231	Glassman			
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	8.	01/23/1990	4,895,719	Radhakrishnun et al.			
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	12.	08/31/1993	5,240,922	O'Neill			
	13.	02/14/1995	5,388,574	Ingebrethsen			
	14.	10/10/1995	5,457,100	Daniel			
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	16.	08/13/1996	5,544,646	Lloyd et al.			
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	20.	04/14/1998	5,738,865	Baichwal et al.			
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	22.	06/16/1998	5,767,117	Moskowitz			
	23.	06/29/1999	5,915,378	Lloyd et al.			
	24.	08/10/1999	5,934,272	Lloyd et al.			
	25.	09/28/1999	5,957,124	Lloyd et al.			
	26.	10/05/1999	5,960,792	Lloyd et al.			

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		Applicant: Joshua D. RABINOWITZ et al.		
		Filing Date: 12/12/03		Group Art Unit: Not Yet Known

27.	11/30/1999	5,993,805	Sutton et al.			
28.	03/28/2000	6,041,777	Faithfull et al.			
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41.	09/06/2001	US 2001/0020147	Staniforth et al.			
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45.	08/22/2002	US 2002/0112723	Schuster et al.			
46.	11/28/2002	US 2002/0176841	Barker et al.			
47.	01/02/2003	US 2003/0004142	Prior et al.			
48.	02/13/2003	US2003/0032638	Kim et al.			

RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

49.	08/04/2003	10/633,876	Hale et al.			
50.	08/04/2003	10/633,877	Hale et al.			
51.	12/30/2003	10/749,537	Rabinowitz et al.			
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53.	01/27/2004	10/766,149	Rabinowitz et al.			
54.	01/27/2004	10/766,279	Rabinowitz et al.			

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55.	01/27/2004	10/766,566	Rabinowitz et al.			
56.	01/27/2004	10/766,574	Rabinowitz et al.			
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83.	04/01/2004	10/816,567	Rabinowitz et al.			
84.	08/04/2004	10/912,462	Hale et al.			

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		Filing Date: 12/12/03		Group Art Unit: Not Yet Known

85.	01/23/2003	US 2003/0015196	Hodges et al.			
86.	04/03/2003	US 2003/0062042	Wensley et al.			
87.	11/13/2003	US 2003/0209240	Hale et al.			
88.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
89.	01/09/2003	US 2003/0005924	Rabinowitz et al.			
90.	01/09/2003	US 2003/0005925	Hale et al.			
91.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
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103.	01/23/2003	US 2003/0017119	Rabinowitz et al.			
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106.	01/30/2003	US 2003/0021754	Rabinowitz et al.			
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112.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
113.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
114.	05/20/2004	US 2004/0096402	Hodges et al.			

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			Filing Date: 12/12/03		Group Art Unit: Not Yet Known	

115.	05/27/2004	US 2004/0099269	Hale et al.			
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118.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
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121.	07/01/2004	US 2004/0126329	Rabinowitz et al.			
122.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
123.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
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126.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
127.	01/02/1996		CA 2,152,684	Canada			
128.	03/14/1990		EP 0 358 114	Europe			
129.	07/03/2001		EP 1 080 720	Europe			
130.	08/29/2001		EP 0 606 486	Europe			
131.	03/22/1990		WO 90/02737	WIPO			
132.	04/11/1996		WO 96/09846	WIPO			
133.	05/09/1996		WO 96/13161	WIPO			
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135.	05/09/1996		WO 96/13291	WIPO			
136.	05/09/1996		WO 96/13292	WIPO			
137.	10/03/1996		WO 96/30068	WIPO			
138.	08/07/1997		WO 97/27804	WIPO			

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		Filing Date: 12/12/03		Group Art Unit: Not Yet Known

139.	05/28/1998	WO 98/22170	WIPO			
140.	07/23/1998	WO 98/31346	WIPO			
141.	08/27/1998	WO 98/36651	WIPO			
142.	04/08/1999	WO 99/16419	WIPO			
143.	12/16/1999	WO 99/64094	WIPO			
144.	01/06/2000	WO 00/00176	WIPO			
145.	01/06/2000	WO 00/00215	WIPO			
146.	05/18/2000	WO 00/27363	WIPO			
147.	05/25/2000	WO 00/29053	WIPO			
148.	09/17/2000	WO 00/47203	WIPO			
149.	11/02/2000	WO 00/64940	WIPO			
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151.	11/09/2000	WO 00/66206	WIPO			
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Examiner Initials	Ref. No.	Title
	156.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	157.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology (Berl.)</i> . 102:443-450.
	158.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	159.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society</i> . 966-974.
	160.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology</i> . 32(5):591-600.

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		Filing Date: 12/12/03	Group Art Unit: Not Yet Known

161.	Dershitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.
162.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
163.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
164.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.
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172.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.
173.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.
174.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
175.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
176.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
177.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant: Joshua D. RABINOWITZ et al.	
(Use several sheets if necessary)		Filing Date: 12/12/03	Group Art Unit: Not Yet Known

178.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.
179.	Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm ., 11 pages, (visited on June 5, 2000).
180.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.
181.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248.

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	